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J MARLOWE

PCT
#9

15 March, 2001

United States Dept of Commerce
Patent & Trademark Office
Assistant Secretary & Commissioner of Patents & Trademarks
Washington DC 20231
USA

Dear Sir or Madam:

Re: US Patent Application No. 09011160 Filing Date: 01/20/1998
Applicant: Harold HALL Assignee: John Jobey MARLOWE

Enclosed, please find hard copies of documents already faxed to Ms Bessie Bowie of Customer Service Dept 1700.

Yours sincerely


J MARLOWE

RECEIVED
APR - 2 2001
TC 1700 MAIL ROOM

3 DOMINIC ROAD • CHILDWALL • LIVERPOOL L16 1JY
TEL: +44-151 735 1447 • HOME TEL +44 1517223600 FAX: +44-151735 1447
E-MAIL: JOBEY@MAGNOM.COM



J MARLOWE

FACSIMILE TRANSMITTAL SHEET

TO:	Ms Bessie Bowie (Customer Service Dept 1700)	FROM:	John Jobey Marlowe
COMPANY:	United States Patent Office	DATE:	15/03/01
FAX NUMBER:	001 703 305 1086	TOTAL NO. OF PAGES INCLUDING COVER:	2
PHONE NUMBER:	001 703 306 5665	SENDER'S REFERENCE NUMBER:	PCT/GB9601773/USA
RE:	Petition to Revive	YOUR REFERENCE NUMBER:	US Patent Applcn No. 09011160

☒ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☒ PLEASE REPLY ☐ PLEASE RECYCLE

Dear Ms Bowie

I write to express concern at the apparent lack of attention regarding the above application. It has been deemed unintentionally abandoned and despite numerous efforts this is still not resolved.

This started when a notification of change of address for service from ourselves to the USPTO, did not reach our file, despite being sent by recorded mail. As a consequence of this, official communication sent by the USPTO was not received by the Applicant. We presume that failure to respond to this communication led to the abandonment. We can only presume this, as, despite many requests, we still do not have a copy of this communication.

However, in the meantime, correspondence concerning the Assignment had been received by the Applicant, establishing that the USPTO was in possession of our address – giving the Applicant & Assignee no concern for the reliability of the communication route between themselves & the USPTO.

It was only after a general enquiry by the Assignee, myself, that it was discovered that the US Application had been abandoned. I then spoke to yourself to try & resolve the situation.

The problem worsened, because, we were informed by yourself, that despite repeated requests over a period of several weeks, you could not recover our file from the repository. As you will note from the information attached, we lodged a petition to revive and provided proof of postage of the original change of address. This was also sent by recorded mail and by fax, yet we are informed just yesterday, by Ms Marianne O'Campo (Examiner) that this paperwork has still not reached the file. Please note, that we are in possession of written acknowledgement of receipt, from your department, for the petition to revive and proof of postage of the change of address.

I trust you will appreciate why this matter is giving us cause for concern. It is imperative that this situation be addressed as soon as possible.

Many thanks

J Marlowe

PS I enclose a copy of the file history to date



US APPLICATION NO. 09/011160 Inventor: Harold Hall
Assignee: John J Marlowe

PATENT APPLICATION HISTORY

- Jan 13 1998: Applicant submits National Phase filing in USA of PCT Application
No PCT/GB9601773
- July 24 1998: Applicant sends USPTO Fax & Letter from notifying change of address for service in USA
- Oct 22 1998: Applicant receives USPTO Notification of Acceptance of Application – US Application
No.09/011160
Notice of insufficient fees – \$5.00 shortfall sent 21 Nov 1998.
- Oct 26 1998: Applicant requests Examination of claims as originally filed
- Nov 21 1998: Fax from USPO saying insufficient fees not due at time stated.
- Dec 21 1998: Applicant submits application for assignment of US Applcn 09/011160 from Harold Hall
(applicant) to John J Marlowe (Assignee)
- Apr 13 1999: USPTO informs applicant cover sheet needed for recordation of
Above Assignment
- May 10 1999: Applicant submits recordation sheet for Assignment as requested
- June 9 1999: USPTO informs Applicant that application now assigned to John J Marlowe
- June 19 2000: J Marlowe telephones USPTO only to discover that application is deemed abandoned
- June 20 2000: J Marlowe faxes & posts petition to revive US application, as recommended by Bessie Bowie,
for attention of Bessie Bowie
- July 17 2000: J Marlowe faxes Bessie Bowie asking for acknowledgement of fax & letter sent June 20 2000.
- July 19 2000: USPTO Bessie Bowie faxes J Marlowe acknowledgement of receipt of petition to revive for non-
intentional abandonment
- July 27 2000: J Marlowe faxes change of address for service to from H ZHAO to J J MOSS (FAO
Bessie Bowie USPTO)
- Aug 24 2000: USPTO Bessie Bowie sends email to J Marlowe asking him to contact her regarding
requirements for petition to revive.
- Aug 29 2000: J Marlowe faxes USPTO Bessie Bowie authorisation to fax information regarding petition to
revive
- Sept 8 2000: J Marlowe faxes USPTO Bessie Bowie – still waiting for information concerning petition to
revive
- Sept 12 2000: USPTO Bessie Bowie faxes printed pages concerning petition procedure
- Sept 19 2000: J Marlowe sends USPTO Bessie Bowie email requesting information on full requirements
concerning petition to revive. Also mentions change of address for service. Also looking for
copy of official communication from USPTO (the non-receipt of which) led to the abandonment
of the application in the first place.
- Sep 27 2000: J Marlowe faxes USPTO Bessie Bowie copy of above email
- Oct 2 2000: J Marlowe sends USPTO (FAO Bessie Bowie) copy of proof of change of address of Mr Zhao
(faxed & sent 24 July 1998) & copy of fax sent Sep 27 2000.
- Mar 8 2001: J Marlowe telephones Customer Service Dept Grp 1700 requesting status report & query as to
why no response to previous letters & faxes. Requested response ASAP.
- Mar 12 2001: J Marlowe telephoned again as no response to last telephone call expressing concern lack of
communication from that dept
- Mar13 2001: A Hall spoke to Marianne O'Campo who HAS the file. The last correspondence in there is that
of the abandonment. No change of address for Mr Zhao, no note of petition to revive, no note of
change of address to Mr J J Moss.
She suggested we contact Customer Services for assistance.



J MARLOWE

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NOTES/COMMENTS:

Dear Ms Bowie

Re: Your recent fax & current change of correspondence

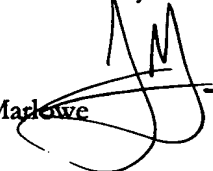
Thank you for your fax of 19th July 2000 acknowledging receipt of our petition to "revive" the above application.

We wish to file another change of contact address in the USA, please. We have downloaded a form from the USPTO web site and completed it for inclusion with our file. If this is the right form or if we have made an error in completing it, please let us know.

If we do not hear from you in the next day or two, I will assume that the details for change of correspondence address are correct and shall send a hard copy of the enclosed.

Many thanks again for all your help. I look forward to hearing from you soon.

Yours sincerely


J Marlowe

3 DOMINIC ROAD CHILDWALL LIVERPOOL ENGLAND L16 1JY
TEL/FAX ++ 44-151-735-1447

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